

The Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

COUNTRY MUTUAL INSURANCE  
COMPANY, a foreign company,

Plaintiff,

v.

ATLASRHINO, INC. DBA ZENAPTIC  
CHIROPRACTIC, a Washington  
corporation, and TROY DREILING, an  
individual and the president of Atlasrhino,  
Inc.,

Defendants.

No. 3:24-cv-05853-MJP

**STIPULATED MOTION AND ORDER  
TO STAY PLAINTIFF'S SECOND  
CLAIM FOR RELIEF AND DISMISS  
DEFENDANTS' SECOND  
COUNTERCLAIM**

**NOTED ON MOTION CALENDAR:  
MARCH 4, 2025**

**(WITHOUT ORAL ARGUMENT)**

Plaintiff and Counter Defendant COUNTRY Mutual Insurance Company ("Country") and Defendants and Counterclaimants AtlasRhino, Inc. dba Zenaptic Chiropractic and Troy Dreiling ("Defendants") (collectively the "Parties") by and through their counsel of record, hereby stipulate as follows:

The Parties have agreed to a resolution that moots Country's Rule 12(b)(6) Motion to Dismiss Defendants' Counterclaim re Bad Faith [Dkt. 27]. Country agrees to stay its Second Claim for Relief (Declaratory Judgment – Duty to Indemnify) pending final resolution of the underlying lawsuit giving rise to this coverage action. Country will also withdraw the pending Rule 12(b)(6) Motion. In exchange for Country's agreements, Defendants agree to dismiss

**STIPULATED MOTION AND ORDER TO STAY PLAINTIFF'S  
SECOND CLAIM FOR RELIEF AND DISMISS DEFENDANTS'  
SECOND COUNTERCLAIM**

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1 without prejudice their Second Counterclaim (Bad Faith). The Parties respectfully request the  
2 Court enter an order consistent with the foregoing.

3 In consideration of information presented in this stipulated motion, the Court orders  
4 that: (1) Country's Second Claim for Relief (Declaratory Judgment – Duty to Indemnify) is  
5 stayed pending final resolution of the underlying lawsuit giving rise to this coverage action and  
6 (2) Defendants' Second Counterclaim (Bad Faith) is dismissed without prejudice and without  
7 costs to either Party.

8 **IS SO ORDERED.**

9 DATED this 11<sup>th</sup> day of March, 2025.

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14 THE HONORABLE MARSHA J. PECHMAN  
15 United States District Judge  
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1 *Stipulated and Presented by:*

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8 *Attorney for Defendants*

9 I certify that this memorandum contains 184  
10 words, in compliance with the Local Civil  
Rules.

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**STIPULATED MOTION AND ORDER TO STAY PLAINTIFF'S  
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